

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: FINCORE GROUP 56 - 82 WELLINGTON ST, 283 - 323 SOUTH STREET AND 69 - 77 WATERLOO STREET PUBLIC PARTICIPATION MEETING ON FEBRUARY 26, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Fincore Group relating to the property located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 5, 2013, to amend Section 3.5 (Policies for Specific Residential Areas) of the Official Plan within the lands bounded by Waterloo Street on the east, South Street on the north, the Thames River on the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located on the east side of Wellington Street between South Street and the Thames River;
- b) Subject to Policy 19.1.1. of the Official Plan, the lands located south of the existing Upper Thames River Conservation Authority Regulated Area, **BE INTERPRETED** to be located within the "Open Space" designation;
- c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on March 5, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone which permits a large range of commercial uses, churches and residential uses, a Residential R9 (R9-3*H22) Zone which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres and a maximum density of 150 units per hectare, **TO** an Open Space (OS2) Zone to allow for conservation lands and public parks and a Holding Business District Commercial Special Provision/ Bonus (h-h-2*h-5*h-35*h-55*h-89*h-()*h*()BDC()*B-(*)) Zone which permits medical/dental office, clinics, a wide range of commercial uses, apartment buildings, nursing homes, lodging houses, offices, an Independent Health Facility on the second floor or above with a maximum gross floor area of 2000m² and a maximum height of 12m, with a bonus zone to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m² gross floor area of medical/dental, clinic and independent health facility use and 929m² of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:
 - underground parking spaces;
 - placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", so the architecture of the building itself creates the Gateway;
 utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street.

WHEREAS the Fincore Group Inc. has applied to rezone an area of land located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, as shown on the attached map comprising part of Key Map No. 93, from a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone, a Residential R9 (R9-3*H22) Zone and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone to a Open Space (OS2) Zone, a Holding Business District Commercial Special Provision/ Bonus (h*h-2*h-5*h-35*h-55*h-89*h-(*)h-(*)BDC(*)B-(**)) Zone and a Holding Residential R5 /Residential R7 /Residential R9/Bonus (h*h-2*h-5*h-35*h-55*h-89*h-(*)h-(*) (R5-7/R7*D150*H22/R9-7*H*22*B(**)) Zone.

1) Section Number 25.4 of the Business Commercial District (BDC) Zone is amended by adding the following Special Provision:

-) BDC () The lands located at Wellington Street on the east side,
between South Street and the Thames River
- a) Additional Permitted Uses
- i. Independent health facility
 - ii. Churches
- b) Regulation[s]
- i. Maximum gross floor area 2000m²
all office, medical/dental office
and independent health facility
uses.

2) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

- 4.3 4) B-(**) Lands within the area, bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West.

The subject site is being bonused to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law which includes an 18-storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with 78 retirement lodges and 130 nursing home care units, 65 stacked townhouse dwelling units (15m tall) along South Street with a maximum of 1000m² of convenience commercial uses which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through and a church use which shall be implemented

through a development agreement in return for the provision of the following services facilities and matters:

- secured bicycle parking spaces and temporary bicycle parking spaces for a total of 150 bicycle parking spaces;
- orientation of buildings to the street so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to provide for the enhancement of the pedestrian environment;
- utilization of a podium base with multiple step-backs and a residential point tower above on the building abutting the northeast corner so as to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", and townhouse facades that vary in their projection and recession along South Street so that does not appear as one solid plane, so as to ensure a high standard of design for buildings to be constructed in this prominent location at the perimeter of the Downtown, near the edge of the river valley;
- a green roof atop the parking structure and building podium portions to support innovative and environmentally sensitive development;
- a publicly accessible pedestrian and sight line connection through the site from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements;
- provision of enhanced of landscaped open space at street level and along the Thames Valley corridor to support the provision of common open space that is functional for active or passive recreational use
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Waterloo Street road allowances, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The following regulations apply with the approved site plan:

Lot Area (minimum):	1.0ha
Lot Frontage (minimum):	145m
Front Yard Setback (minimum):	1.0
Exterior Side Yard – west (minimum):	1.0
Lot Coverage (%) (maximum):	40%
Height (maximum):	67.0 metres
Density – units per hectare (maximum):	240
Parking:	232
Bicycle Parking	150 (secure)

The cumulative impact of using this bonusing provision shall result in a density not greater than 240 units per hectare and a building height not greater than 67metres.

3) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

4.3 4) B-(*) the lands located on Wellington Street on the east side, between South Street and the Thames River

The subject site is being bonused to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m² gross floor area of medical/dental, clinic and independent health facility use and 929m² of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- underground parking spaces;
- placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", so the architecture of the building itself creates the Gateway;
- utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage in order to provide for the enhancement of the pedestrian environment;
- a green roof atop the building podium portions to support innovative and environmentally sensitive development;
- two publicly accessible pedestrian and sight line connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The following regulations apply with the approved site plan:

Lot Area (minimum):	0.5ha
Lot Frontage (minimum):	58m
Front Yard Setback (maximum):	1.0
Exterior Side Yard – (maximum): from the future Bus Rapid Transit road widening	1.0
Lot Coverage (%) (maximum):	72%
Height (maximum):	94.0 metres
Density – units per hectare (maximum):	332
Parking:	510
Bicycle Parking	36

The cumulative impact of using this bonusing provision shall result in a density not greater than 332 units per hectare and a building height not greater than 94metres.

4) Section 2, Definitions, to By-law No. Z.-1 is amended to include the following definition:

“Independent Health Facility” means a diagnostic facility that is funded by the Ministry to provide specific classes of diagnostic tests and is an ambulatory facility that provides surgical and therapeutic procedures for which the costs of carrying out the procedure is not included in the OHIP fee paid to physicians and is operated under the authority of a licence issued by the Director of Independent Health Facilities in accordance with all Ministry regulation including the *Independent Health Facilities Act* as may be amended, does not include overnight accommodation and requires parking to be provided at the same rate as for a clinic use.

5) Section Number 3.8(2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provisions:

h-_) Purpose: To ensure the Owner undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority prior to removal of the "h- (_)" symbol.

h-) To ensure that development will not have an adverse impact on pedestrian level wind conditions, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h- (_)" symbol.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

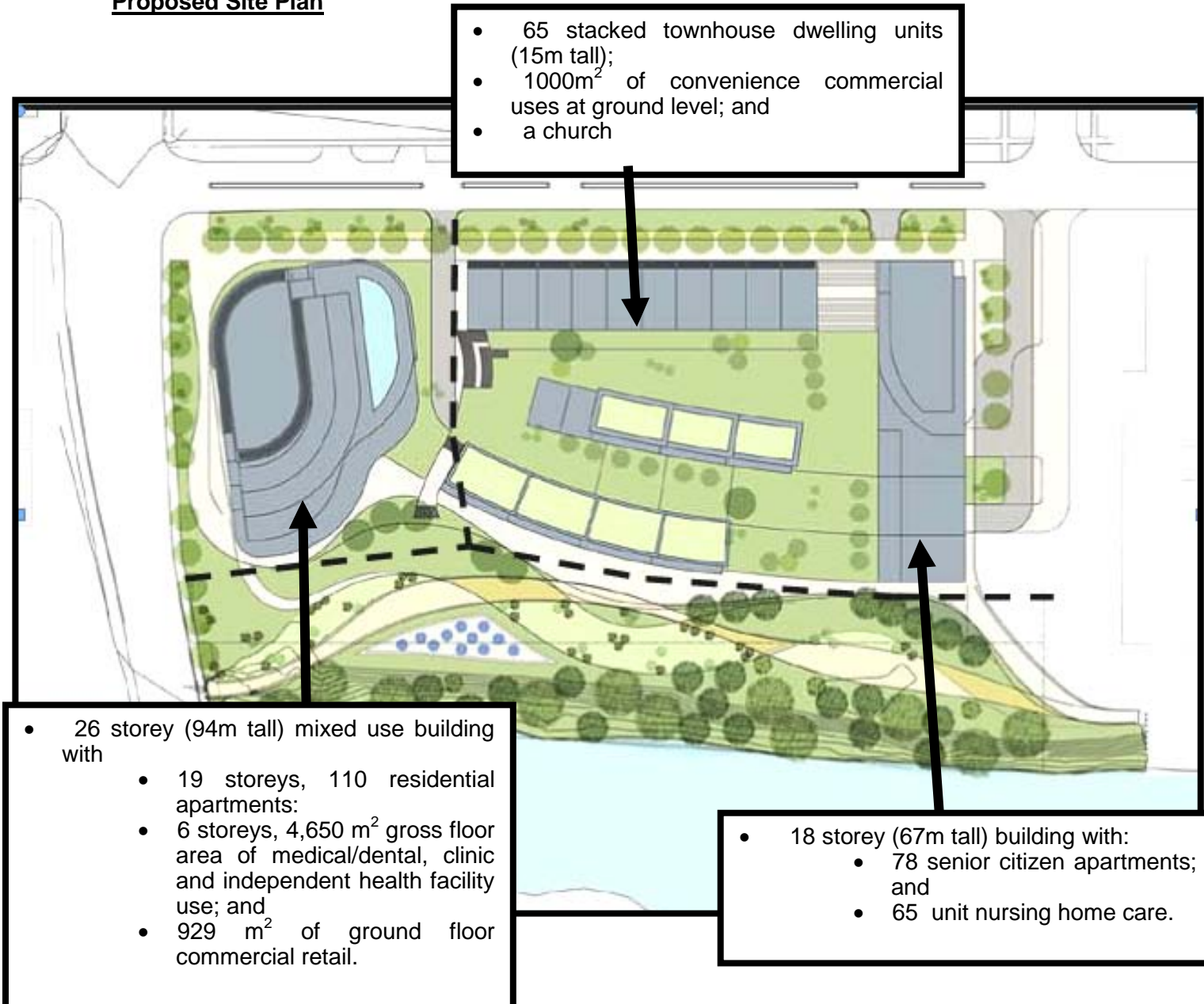
PASSED in Open Council on.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - March 5, 2013
Second Reading - March 5, 2013
Third Reading - March 5, 2013

Proposed Site Plan



Description of the Proposed Development

The proposed amendment is to allow for the development of a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650 m² gross floor area of medical/dental, clinic and independent health facility use and 929 m² of ground floor commercial retail, a 18 storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with senior citizen apartments and nursing home care, 65 stacked townhouses dwelling units (15m tall) along South Street with a maximum of 1000m² of convenience commercial uses at ground level and a church use:

Design Features (as shown on the following attached Elevations and Site Plan)

Building location/orientation/frontages

- Buildings located at the corner of Wellington Street and South Street, with a 1.0m setback to the property lines framing the primary gateway into the SoHo and Downtown neighbourhoods;
- Orientation of primary entrances into the ground floor commercial spaces facing onto the Wellington street frontage;
- providing a pedestrian oriented space between the building and the Wellington Street right-of-way that is urban in character;
- Location of midrise buildings, up to four stories, along South Street;
- Orientation of all principal facades of all units facing the street including active building elements such as primary entrances, porches, canopies and windows creating a positive pedestrian;

<p><i>Encourage development which maintains the scale, setback and character of the existing uses</i></p> <p><i>The height and scale of office buildings in a Main Street Commercial Corridor designation shall be limited through regulations in the Zoning By-law to a size which is compatible with surrounding land uses. Larger office buildings which would be more appropriately located in the Downtown or Office Area designations shall be discouraged within Main Street Commercial Corridors</i></p> <p><i>Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. of this Plan.</i></p>	<p>The maximum permitted height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan;</p> <p>Subject to Sections 11 and 19.4 of the Official Plan, medium scale office development may be permitted within a mixed-use residential/office/commercial building through the application of a bonus zone, provided the office use is primarily to provide medical/dental services on the second floor or above.</p>
<p>Form:</p> <p><i>Encourage mixed-use development to achieve higher densities and to reinforce the objectives of achieving a diverse mix of land uses.</i></p> <p><i>Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours.</i></p>	<p>Form:</p> <p>Mixed Use development will be permitted in this area, that may accommodate increased height and densities through the use of bonus provisions, and will provide a transition from the southeast corner of Wellington Street and South Street to the Thames River corridor while providing for enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles as provided for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;</p>

Proposed Depth of Main Street Commercial Corridor

To accommodate the proposed mixed use development to be located at the Southeast corner of South Street and Wellington Street at a MSCC designation at a depth of 82m is appropriate as:

- the proposed mixed use building strengthens the the Main Street Commercial Corridor along Wellington Street;
- the implementing zoning by-law and site plan address the size and nature of the uses and development; and
- the proposed infill is appropriately integrated with the surrounding uses.

Residential

Existing Zone: Residential R9 (R9-3*H22) and a Holding Residential R7/Residential R9/Regional Facility (h- 5*R7*D150*H30/R9- 7*H30/RF)	Proposed "Base" Zone: Holding Residential R5/Residential R7/Residential R9/Bonus (h*h-2*h-5*h-35*h-55*h- 89*h-()*h*()R5-7/R7/R9- 7*H*22	Proposed Bonus Zone: B- _
Permitted Use:		
Apartment buildings, retirement homes, continuum of care facilities, Senior citizens apartment buildings, Handicapped person apartment buildings, Continuum-of-care facilities Emergency care establishments, churches, and hospitals	Apartment buildings, senior apartments, nursing homes, townhouses, stacked townhouses Handicapped persons apartment buildings Continuum-of-care facilities Emergency care establishments	The uses as listed in the Residential R5/Residential R7/Residential R9/Bonus (R5-7/R7/R9-7*H*22) Zone including a 67 metres (18 storeys) senior apartment and nursing home with a density of 240 units/ha Church and 1000m ² of Convenience Commercial which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through
Regulations:		
Residential R9 (R9-3*H22) Permits apartment buildings maximum height: 22 metres and maximum density of 100 units/ha Residential R7/Residential R9/Regional Facility (h- 5*R7*D150*H30/R9- 7*H30/RF) Zone maximum height 30 metres and a maximum density of 150 units/ ha Lot Coverage 30% Front yard setback minimum: 6.0m Lot Frontage minimum:30m Lot area minimum: 1000m ²	Maximum height: 22m Density: 150 units/ha Lot Coverage: 30% Front yard setback minimum: 6.0m Lot Frontage minimum:30m Lot area minimum: 1000m ²	Maximum height of 67 metres (18 storeys) Maximum density of 240 units/ ha (273 units) Lot Coverage: 40% Lot frontage minimum: 145m Lot area minimum: 1.0 ha Minimum of 232 parking spaces.

The proposed Holding Residential R5/Residential R7/Residential R9/Bonus (h*h-2*h-5*h-35*h-55*h-89*h-()*h*()R5-7/R7*D150*H22/R9-7*H*22) Zone will permit the same range of uses with the same zoning regulations as the existing Business District Commercial Special Provision/Neighbourhood Facility Residential R9 (R9-3*H22) and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone. The only significant change is the removal of the Regional Facility zone which permits hospital uses. The Province no longer wishes to operate a hospital at this location and the Regional Facility zone can be removed at this time.

Through the Bonus zone the following uses are permitted: a 67 metres (18 storeys) senior apartment and nursing home with a density of 240 units/ha on the southwest corner of South Street and Waterloo Street, a Church, and 1000m² of Convenience Commercial use which